

JUSTIN EVERETT,

Plaintiff,

v.

**FIELDWORKS, INC., LAURA
BARKLEY, ZACHARY REIDER,
CHRIS GALLAWAY and LEWIS
GRANOFSKY,**

Defendants.

DEFENDANTS' PROPOSED STIPULATION SELECTING ADR PROCESS

Defendants report that Plaintiff and Defendants' counsel have met and conferred regarding Alternative Dispute Resolution (ADR). The parties have agreed to mediation. Plaintiff, however, has neither agreed upon Defendants' proposed mediator nor provided Defendants with a suggested alternative. (*See Exhibits A, B, C, D*). Accordingly, Defendants propose the following Stipulation Selecting ADR Process.

I. PROCESS

Select one of the following processes:

- X Mediation
 Early Neutral Evaluation (ENE)
 Court sponsored Binding Arbitration
 Court sponsored Non-binding Arbitration
 Private ADR (please identify process and provider)
 Other (please identify process and provider)

II. COSTS

The parties have agreed to share the ADR costs as follows (do not complete percentages for Court sponsored arbitration. For that process, costs are paid by the Court in accordance with 28 USC §658.):

50 % by Plaintiff¹
50 % by Defendant

If a dispute arises as to compensation and costs for the mediator/neutral evaluator/private arbitrator, the Court will set reasonable compensation and costs.

III. NEUTRAL

The parties hereby designate by agreement the following individual to serve as a Neutral in the above-styled action:

Name of Neutral: Judith A. Teeter
Address of Neutral: University of Pittsburgh School of Law
Telephone & FAX Numbers: (412)624-2450
Email address of Neutral: JudiTeeter@pitt.edu
Date of ADR Session: TBD

IV. PARTICIPANTS

Name and title of the individual(s) who will be attending the mediation or early neutral evaluation session, **in addition to counsel**, in accordance with **Section 2.7 (Attendance at Session)** of the Court's ADR Policies and Procedures:

Justin Everett
Plaintiff

Jennifer S. Park
Attorney for Defendants

Defendant²
Chris Gallaway

If there is insufficient space to list all parties who will be attending the session, please add additional sheets as necessary.

¹ Plaintiff's ADR costs may be waived by the Court due to his *In Forma Pauperis* status, and Plaintiff intends to seek a waiver of his portion of the fees.

² Individual Defendants Laura Barkley, Zachary Reider, Lewis Granofsky, and Chris Gallaway are located in Ohio, Idaho, Oregon, and Washington D.C., respectively. Defendants intend to file a motion pursuant to the Court's ADR Policies and Procedures Section 2.7, sub-section (D) to request that the Individual Defendants' attendance be excused and that Defendant Chris Gallaway be permitted to represent the Individual Defendants collectively via telephone or video.

Each party certifies that the representative(s) attending the ADR session on its behalf has full and complete settlement authority, **as specified in sub-section (A)(1-3) of the above section of the Court's ADR Policies and Procedures.**

V. ACKNOWLEDGMENT

Date: January 18, 2019

/s/ Jennifer S. Park

Attorney for Defendants